

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al.	Group Art Unit: 1616
Serial No.: 10/644,265	Examiner:
Confirmation No.: 7484	Alstrum Acevedo, James Henry
Filed: August 19, 2003	Attorney Docket No:
For: STABILIZED PREPARATIONS FOR USE IN METERED DOSE INHALERS	NK.0056.11  June 20, 2008 San Francisco, California

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER PENDING "REFERENCE" APPLICATIONS**

Box Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

The owner, Nektar Therapeutics, of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on: (1) pending reference Patent Application Number 11/675,073; (2) pending reference Patent Application Number 11/317,523; and (3) pending reference Patent Application Number 11/317,839; as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on any application granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent of the pending reference applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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By: Amy W. Wells  
Amy Wells

Date: June 20, 2008

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant applications that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on any of said reference applications, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application later:

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- is found invalid by a court of competent jurisdiction;
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- has all claims canceled by a reexamination certificate;
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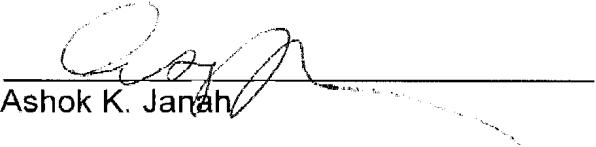
The undersigned is an attorney or agent of record, Reg. No. 37,487.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The fee of \$130.00 required by 37 C.F.R. § 1.20(d) is submitted herewith.

Respectfully Submitted,

Date: June 20, 2008

  
Ashok K. Janah

Please direct all telephone calls to: Guy Tucker (415) 538-1555